

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:24-cv-21463-RKA

NEREYDA SUHEY CASTILLO MARENCO,

Plaintiff,

vs.

J.C. PAINTING CONTRACTOR LLC,
MARIA GONZALEZ and
TOMAS GONZALEZ SOTELO,

Defendants.

**DEFENDANTS' UNOPPOSED MOTION FOR FOURTEEN (14) DAY ENLARGMENT
OF TIME TO FILE RESPONSE TO PLAINTIFF'S COMPLAINT**

Defendants, by and through the undersigned counsel, hereby file this Unopposed Motion for Fourteen (14) Day Enlargement of Time to File Response to Plaintiff's Complaint, and states as follows:

1. Plaintiff filed this action on April 18, 2024.
2. According to the undersigned's review of the Court's docket, Defendants were all served on May 22, 2024 (D.E.'s 8-10), and the response to the Complaint is due June 12, 2024.
3. Defendants' counsel was only recently retained by Defendants and therefore needs additional time to confer with the clients, investigate Plaintiff's claims and Defendants' potential defenses, and receive information and documents from Defendants pertaining to the case, claims and defenses.
4. Due to all of the foregoing reasons, as well as the press of other matters, Defendants need an additional fourteen (14) days to prepare and file a response to the Complaint.
5. Defendants represent that this request is not made in bad faith, for purposes of

undue delay or for any other dilatory purpose.

6. Pursuant to the federal and local rules of civil procedure, the undersigned made a good faith effort to confer with Plaintiff's counsel about the relief sought in the motion, and Plaintiff's counsel represented that Plaintiff will not oppose this motion.

7. Under Federal Rule of Civil Procedure 6(b), the Court is authorized to enlarge the period within which Defendants must file the subject document "if request therefore is made before the expiration of the period originally prescribed." Defendants have filed this request timely under Rule 6(b). Therefore, the Court has the authority to grant this motion pursuant to Rule 6(b), Fed.R.Civ.P.

8. By its express terms, Rule 6(b) affords a wide discretion to the Court to enlarge time periods established by the Rules of Civil Procedure or a Court order. *Woods v. Allied Concord Financial Corp.*, 373 F.2d 733 (5th Cir. 1967). Rule 6 should be applied liberally "to secure the just, speedy and inexpensive determination of every action." Rule 1, Federal Rules of Civil Procedure; 4 Wright & Miller, *Federal Practice and Procedure*, §1165 (1969). "Pre-expiration extensions are granted routinely if they are sought in good faith and do not prejudice the adversary." See Steven Baicker-McKee, William M. Janssen, and John B. Corr, *Federal Civil Rules Handbook 2014*, at 314 (West 2014).

WHEREFORE, Defendants respectfully request that this motion for enlargement of time be granted.

S.D. Fla. L.R. 7.1(a)(3) CERTIFICATION

Counsel for Defendants hereby certifies that they have conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and hereby advises the Court that Plaintiff does not oppose the relief

sought in this motion.

Respectfully submitted,

TODD W. SHULBY, P.A.
Todd W. Shulby, Esq.
1792 Bell Tower Lane
Weston, Florida 33326
Telephone: (954) 530-2236
Facsimile: (954) 530-6628
E-mail: tshulby@shulbylaw.com
Counsel for Defendants

By: /s/Todd W. Shulby, Esq.
Florida Bar No.: 068365

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 6, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: Brian H. Pollock, Esq. and Patrick Brooks LaRou, Esq.

I HEREBY CERTIFY that on June 6, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system and will mail a copy of the foregoing and notice of electronic filing to the following non-CM/ECF participants: None.

By: /s/Todd W. Shulby, Esq.
For Todd W. Shulby, P.A.